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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

TRAVELERS CASUALTY & SURETY COMPANY as Administrator for RELIANCE INSURANCE COMPANY,

Plaintiff,

- against -

Civil Action No. 04 CV 5101 (HB)(RLE)

THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK, TDX CONSTRUCTION CORP. and KOHN, PEDERSON, FOX & ASSOCIATES, P.C.

Defendants.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK,

Third-Party Plaintiff,

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

- against -

TRATAROS CONSTRUCTION, INC. and TRAVELERS CASUALTY AND SURETY COMPANY,

Third-Party Defendants.

TRATAROS CONSTRUCTION, INC., and TRAVELERS CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

G.M. CROCETTI, INC., CAROLINA CASUALTY INSURANCE COMPANY, BARTEC INDUSTRIES INC., DAYTON SUPERIOR SPECIALTY CHEMICAL CORP., SPECIALTY CONSTRUCTION BRANDS, INC. t/a TEC, KEMPER CASUALTY INSURANCFE COMPANY d/b/a KEMPER INSURANCE COMPANY, GREAT AMERICAN INSURANCE COMPANY, NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA., UNITED STATES FIRE INSURANCE COMPNAY, ALLIED WORLD ASSURANCE COMPANY (U.S.) INC. f/k/a COMMERCIALUNDERWRITERS INSURANCE COMPANY, ZURICH AMERICAN INSURANCE

COMPANY d/b/a ZURICH INSURANCE COMPANY, OHIO CASUALTY INSURANCECOMPANY d/b/a OHIO CASUALTY GROUP, HARLEYSVILLE MUTUAL. INSURANCE COMPANY (a/k/a HARLEYSVILLE INSURANCE COMPANY, an insurer for BARTEC INDUSTRIES INC.), JOHN DOES 1-20, and XYZCORPS. 1-12,

Fourth-Party Defendants.

Document 313-36

KOHN PEDERSON FOX ASSOCIATES, P.C.,

Third-Party Plaintiff,

- against -

WEIDLINGER ASSOCIATES CONSULTING ENGINEERS, P.C., ANTHONY BLACKETT & ASSOCIATES, POULIN + MORRIS, INC., SHEN MILSOM & WILKE, INC., AMIS, INC., HOPKINS FOOD SERVICE SPECIALISTS, INC., CASTRO-BLANCO PISCIONERI AND ASSOCIATES, ARCHITECTS, P.C. n/k/a ARQUITECTONICA NEW YORK P.C., COSENTINI ASSOCIATES, INC., VOLLMER ASSOCIATES, LLP, TESTWELL CRAIG LABORATORIES, INC., JOHN A. VAN DEUSEN & ASSOCIATES, INC., JEROME S. GILLMAN CONSULTING ARCHITECT, P.C., SYSTEMS DESIGN ASSOCIATES, SYSTEMS DESIGN ASSOCIATES INC., WARFEL SHRAGER ARCHITECTURAL LIGHTING, LLC, COUNSILMAN/HUNSAKER & ASSOCIATES, ENTEK ENGINEERING PLLC, THEATRE PROJECTS CONSULTANTS, JORDAN PANEL SYSTEMS CORP., TRATAROS CONSTRUCTION, INC. and LBL SKYSYSTEMS (U.S.A.), INC.

Third-Party Defendants.	
•	v
	Λ

IT IS HEREBY STIPULATED AND AGREED that this action and

all claims, counterclaims, cross-claims, third-party complaints and fourth-party

Page 4 of 29

complaints asserted therein be and hereby are voluntarily dismissed without prejudice and without costs to any party; and it is

FURTHER STIPULATED AND AGREED that this Stipulation may

be executed in counterparts, and that for purposes of this Stipulation facsimile signatures shall be treated as original signatures.

Dated: New York, New York September 23, 2005

DREIFUSS BONACCI & PARKER, LLP Attorneys for Plaintiff/Third-Party Defendant/ Fourth/Party Plaintiff, Travelers Casualty & Surety Company and Third-Party Defendant/Fourth-Party Plaintiff, Trataros Construction, Inc. One Penn Plaza, 36th Floor New York, New York 10119

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Stephen B. Shapiro, Esq. (SS 6400)

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SO ORDERED: